CANONS

the
ANGLICAN
DIOCESE in
NEW
ENGLAND

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Canon I

Definition of Certain Terms

ACNA – "ACNA" means the Anglican Church in North America

ASA - "ASA" means the Average Sunday Attendance of a congregation for the previous calendar year.

Congregation – "Congregation" includes Parishes, Missions and House Churches

Church – The term "Church" means the Anglican Church in North America

Diocese – The terms "the Diocese" and "Diocese" mean the Anglican Diocese in New England.

Governing Documents – In the case of Parishes, "governing documents" shall refer to Articles of Organization and by-laws. In the case of Missions and House Churches, "governing documents" shall refer to Articles of Organization and by-laws or other documents prescribing the organization, structure and governance of the congregation. The governing documents of each congregation shall expressly provide that the congregation adopts, and recognizes the authority of, the Constitution and Canons of the ACNA and the Constitution and Canons of the Diocese.

House Church – "House Church" refers to a congregation with an ASA of less than twenty-five (25) persons.

Mission – "Mission" refers to a congregation with an ASA of at least twenty-five (25), but less than fifty (50) persons.

Parish – "Parish" refers to a congregation with an ASA of more than fifty (50) persons.

Synod – "Synod" means the Synod of the Anglican Diocese in New England.

Canon II

Election of a Bishop

Section 1. Governing boards of congregations shall submit nominations to the Committee on Nominations no later than six months prior to the Synod meeting at which a Bishop is to be elected. All nominations must include an acceptance of the nomination in writing by the nominee, and support of the nomination in writing by the Vestry of the congregation in which the nominee is serving.

Section 2. The Committee on Nominations shall screen all names placed in nomination to determine whether they meet the criteria established by the Synod. Through a prayerful process of discernment, the Committee shall arrive at a slate consisting of no more than five names. These names shall be published to the Delegates no later than sixty (60) days prior to the Synod meeting at which the election is to be held.

Section 3. Delegates shall vote for one of the candidates presented. If one of the candidates receives a majority of the votes cast on the first ballot, he is elected and his name shall be sent to the College of Bishops for consent. If no candidate receives a majority of the votes cast, the names of the two candidates receiving the highest number of votes shall be placed on a ballot for election by the Delegates. Delegates shall then vote for one of these two candidates. The candidate receiving the majority of the votes cast is elected and his name shall be sent to the College of Bishops for consent.

Section 4. The term of a Diocesan Bishop shall be until the age of 72 years, or until the Bishop's retires, resigns or is removed prior to such age.

Canon III

Lay Delegates to Synod

Section 1. Each congregation shall be entitled to two Lay Delegates as follows: the Senior Warden (or, in the case of House Churches, the Chair of the governing board) and one additional Delegate, who shall be elected by the governing board of the congregation or by a meeting of that congregation, as provided in its governing documents. One additional layperson may be added for each two hundred fifty ASA of the congregation, except that no congregation shall have more than six lay delegates. With the exception of the Senior Warden, the Lay Delegates shall be elected for three-year terms. No Delegate who has been so elected for two successive three-year terms shall be eligible for re-election as a Delegate until the expiration of one year.

Section 2. Each congregation may send one youth representative to the Synod, in addition to its other representation in the Synod. Youth representatives must be at least sixteen, but not older than twenty-six, years of age, at the time of the convening of the Synod. Youth representatives shall have both voice and vote.

Section 3. Lay delegates must be baptized Christians, who have been confirmed, who have signified in writing their assent to the GAFCON Statement and the Jerusalem Declaration, and who have sworn to uphold the Constitution and Canons of the ACNA and the Diocese.

Section 4. The Delegates shall be elected and certified to the Secretary of the Synod not later than the thirtieth of June prior to the Annual Synod. Each congregation shall also elect such number of Alternate Delegates as it shall deem necessary. The Presbyter in charge of each congregation shall appoint, and determine the duties of, a Leader of Delegation.

Section 5. The election of Delegates and Alternate Delegates to the Synod shall be certified in writing by a Warden (or, in the case of House Churches, the Chair of the governing board) or two members of the governing board; and the certificate shall state the name, address and telephone number of each Delegate and Alternate and that each Delegate and Alternate Delegate named in said certificate was chosen from the communicants of said congregation. The certification form shall list all Delegates elected

by the congregation, whether newly elected or in their second or third year of term. The certificate shall be furnished to the Secretary of the Synod not later than the thirtieth of June, preceding the Annual Synod. If Delegates and Alternate Delegates are elected to fill vacancies caused by death, resignation, or removal for any cause, the election shall be immediately certified in writing by forwarding an amended certificate to the Secretary of the Synod. Any congregation failing to furnish the certificate to the Secretary of the Synod by the stated date shall not be entitled to seat, voice or vote at the Synod.

Section 3. Lay members of the Standing Committee, if they are not Delegates to the Synod, shall nonetheless have the privilege of seat, voice, and vote at the Synod.

Canon IV

Clergy and Laity in Other Jurisdictions

Those Clergy and Laity within the boundaries of the Diocese who are in canonical relationship with the ACNA but are under other jurisdictional relationships (e.g. Anglican Mission in America, Reformed Episcopal Church) are welcome to participate in this Diocese upon request to the Bishop. They shall be accorded full participation in the shared life and ministry of this Diocese with the exceptions of serving on the Standing Committee or electing members of Standing Committee. They shall be entitled to representation to the Synod up to the limits as prescribed by the Canons, and shall have voice, but not vote therein.

Canon V

Committee on Nominations

A Committee on Nominations, consisting of three Clergy and three Lay persons, shall be elected annually by the Standing Committee at its first meeting following the annual Synod. The Committee on Nominations shall be responsible for receiving and publishing all nominations for nominees standing for election at the upcoming Synod.

Canon VI

The Standing Committee

Section 1. The Clerical members of the Standing Committee shall be entitled to seats in the Synod of the Diocese.

Section 2. The Lay members of the Standing Committee must be baptized Christians, who have signified in writing their assent to the GAFCON Statement and the Jerusalem Declaration, who have sworn to uphold the Constitution and Canons of the ACNA and the Diocese, and who are communicants in a congregation admitted into union with the Diocese.

Section 3. The Committee shall choose a Chair and a Secretary from among its members. The Secretary shall keep a record of the proceedings of the Committee, and all books and papers in the Committee's files relative to the Diocese shall be subject to the examination of the Bishop and of the Synod.

Section 4. The Standing Committee may fill all vacancies in its own body, or in any appointed Committee, or in any elected office that may occur between meetings of Annual Synod.

Section 5. The Standing Committee shall be an executive body representative of the Church in this Diocese with power and authority to implement the policies and programs adopted by the Synod and to act on behalf of the Synod between meetings of that body. The Standing Committee shall have overall responsibility for the Diocesan programs and finances, and shall provide for the efficient management of the business of the Diocese.

Section 6. The Standing Committee shall be responsible for an annual review of the work of the Bishop. In the case of serious conflicts within the Diocese, or behavior unsuitable to the Office of Bishop, the Standing Committee may, by a two-thirds vote, request a hearing from the College of Bishops of the Anglican Church in North America.

Section 7. The Standing Committee shall have such additional rights, duties and powers as may be conferred by the Canons of the ACNA or of this Diocese duly enacted.

Canon VII

Delegates to Provincial Council and Provincial Assembly

Section 1. The Synod shall elect one Bishop, one member of the Clergy and two laypersons to serve as representatives to the Provincial Council of the ACNA. The term of office of the said delegates shall be five years. The Synod may select a replacement to serve for the unexpired term of any representative who does not serve the full term of office. A retiring representative is eligible for reelection for one additional term.

Section 2. The Synod shall elect two members of the Clergy and two laypersons as representatives to the Provincial Assembly of the ACNA. The Synod shall also elect one additional layperson and one additional member of the clergy for each additional one thousand ASA of the Diocese. The Synod shall also elect one youth delegate to the Provincial Assembly, in addition to its other representation in the Provincial Assembly. Youth representatives must be at least sixteen, but not older than twenty-six, years of age, at the time of the convening of the Provincial Assembly. The representatives shall serve until their successors are chosen and certified. The Bishop(s) of the Diocese shall also serve as Diocesan representative(s) to the Provincial Assembly.

Canon VIII

Assistance to the Bishop

The Bishop, with the consent of Standing Committee, shall have the authority to appoint one or more members of the Clergy to assist the Bishop with respect to the mission of the Diocese. The duties of the Assistant may include, but are not limited to: pastoral and counseling functions, visitations to congregations, development of congregations, the planting of new congregations, and fostering relationships with and among congregations. Unless such person be a Bishop-Coadjutor, Suffragan Bishop, or Assistant Bishop, such person or persons so appointed shall bear such title as shall be deemed appropriate by the Bishop. If the Bishop should desire to appoint an Assistant Bishop, consent must be granted by majority vote of the Diocesan Synod. A Bishop-Coadjutor or Suffragan Bishop must be selected in the same fashion as a Diocesan Bishop (Canon I).

Canon IX

Chancellor

The Bishop of the Diocese, with the advice and consent of the Standing Committee, shall appoint a Chancellor of the Diocese and such Vice Chancellors as the Bishop deems advisable, to hold office until their successors are appointed. They shall be learned in the law and communicants of a congregation in union with the Diocese. The duties of the Chancellor shall be to act as legal counselor to the Bishop, the Standing Committee and other Diocesan organizations in matters affecting the interests of the Church. The Vice Chancellors shall perform such duties as shall be delegated to them by the Chancellor or the Bishop.

Canon X

Committee on Constitution and Canons

Section 1. The Committee on Constitution and Canons shall consist of three Clergy and three laypersons appointed by the Bishop with the advice and consent of the Standing Committee. At least one member shall be a practicing attorney. In addition, the Diocesan Chancellor shall be an ex-officio member of the Committee.

Section 2. The length of office for members of the Committee on Constitution and Canons shall be three year staggered terms. No member who has served for two consecutive three-year terms shall be eligible for re-election as committee member until the expiration of one year from the date of last service.

Section 3. The Committee on Canons shall elect a chair from among its membership.

Canon XI

History and Archives of the Diocese; Registrar/Historiographer

Section 1. The Bishop may appoint an Archivist who shall administer and maintain the Diocesan archives, including the historical documentation of the Diocese, and perform such other duties as directed by the Bishop or Standing Committee. It shall be the duty of the Archivist to issue, on request, proper certification of records in the archives.

Section 2. The Bishop may appoint a Historiographer who shall provide for the safekeeping and preservation of all Diocesan records not otherwise under the custody of the Archivist, and perform such other duties as directed by the Bishop or Standing Committee.

Canon XII

Treasurer

Section 1. The Treasurer of the Diocese shall be nominated by the Bishop and elected by the Standing Committee and shall hold office at the pleasure of the Bishop.

Section 2. The Treasurer shall receive and disburse all monies collected under the authority of the Diocese as directed by the Standing Committee.

Section 3. The Standing Committee shall specify additional duties of the Treasurer.

Section 4. The accounts of the Treasurer shall be audited not less than once per year as directed by the Standing Committee.

Section 5. The Treasurer shall be bonded in a sum and in the security satisfactory to the Standing Committee.

Section 6. The Treasurer shall have seat and voice, but no vote, at the Synod and on the Standing Committee.

Section 7. The Treasurer, together with the Standing Committee, shall submit an annual report to the Synod.

Section 8. The Treasurer, working together with the Standing Committee, under the direction of the Bishop, shall submit to the Synod Delegates a budget and mission proposal for the coming year.

Canon XIII

Budget and Financial Administration

Section 1. The Bishop shall have the general authority and responsibility for budgetary and fiscal management. The Bishop shall cause to be prepared, and submitted to the Standing Committee for its approval, regulations governing the financial system of the Diocese, including, but not limited to: collection and handling of funds; authorization of obligations and payment thereof: accounting; budgetary control; appointment, compensation and conditions of service of staff; pension arrangements; procurement and handling of equipment, materials and supplies; custody of funds; control of capital assets; delegation of authority for such matters, and other pertinent subjects.

Section 2. The Bishop shall cause to be prepared for review by the Standing Committee and submission to the Synod for its approval, a comprehensive budget for the ensuing year. Such budget shall be based on clearly specified ministry objectives, evaluation of program accomplishment, and priorities established by the Synod.

Section 3. All congregations shall provide for the support of the Diocese. The level of support from each congregation is expected to be a tithe on all unrestricted operating income. All other contributions to the Diocese shall be voluntary.

Canon XIV

Congregations

Section 1. Every Parish, Mission or House Church canonically formed in this Diocese, for receiving the administrations of the Church and for the Worship of Almighty God, according to the faith and doctrine of the Church, and under the discipline and liturgy of the Church shall constitute a congregation.

Section 2. No Parish shall be admitted into union with the Diocese unless it shall have submitted its Articles of Incorporation and Bylaws (pursuant to Article XI of the Constitution of this Diocese) to the Bishop and Standing Committee two months prior to the meeting of the Synod (or such lesser time as may be permitted by the Standing Committee), and until said Articles of Incorporation and By-laws have been approved by the Synod.

Section 3. No Mission or House Church shall be admitted into union with the Diocese unless it shall have submitted its governing documents (pursuant to Article XI of the Constitution of this Diocese) to the Bishop and Standing Committee two months prior to the meeting of the Synod (or such lesser time as may be permitted by the Standing Committee), and until said governing documents have been approved by the Synod.

Section 4. The secular affairs of each Parish shall be conducted by a Vestry of not less than five persons to be elected according to the Bylaws of such Parish. The secular affairs of each Mission or House Church shall be conducted by a Vestry or other governing board to be selected according to the governing documents of such Mission or House Church.

Section 5. Each member of a Vestry or other governing board of a congregation shall be a person who is a baptized Christian, who has been confirmed, who has signified in writing assent to the GAFCON Statement and the Jerusalem Declaration, who has sworn to uphold the Constitution and Canons of the ACNA and the Diocese, and who is actively participating in the life of that congregation.

Section 6. No alterations in the governing documents of any congregation shall be made unless approved by a majority of votes of the members of the congregation qualified to vote for members of the governing board, and who are present at a meeting called with due notice.

Section 7. The Synod may, by two-thirds vote, dissolve its union with any congregation, provided notice of said proposed action shall have been given in writing in the preceding Annual Synod.

Section 8. Each congregation shall prepare and forward to the Bishop, by March 1, the report required by Title I, Canon 6, Section 8 of the ACNA Canons. The report shall contain such additional information as the Bishop and Standing Committee may request from time to time.

Section 9. Except where otherwise permitted by the Standing Committee, each congregation shall carry specific property, liability, automobile/transportation, operations, general, directors and officers and professional liability coverage (or their substantial equivalents) for all its property, employees, clergy, governing board and counselors in sufficient amounts.

Canon XV

Organization of Congregations

Section 1. Any group seeking to organize a Parish, Mission or House Church within the Diocese must submit a letter to the Bishop indicating its clear intention to recognize the Diocesan Constitution and Canons and function under the Ecclesiastical Authority of this Diocese, and under the worship, doctrine, and discipline of this Church.

Section 2. All Missions and House Churches must be partnered with a local Parish, and function under the authority of the rector of that Parish, unless otherwise authorized by the Bishop.

Canon XVI

Business Methods in Church Affairs

The following standard business methods shall be observed in all Church affairs:

Section 1. Funds held in trust, endowment and other permanent funds, and securities represented by physical evidence of ownership or indebtedness, shall be deposited with a National or State chartered Bank, or with an agency approved in writing by the Standing Committee, under a deed of trust, agency or other depository agreement providing for at least two signatures on any order of withdrawal of such funds or securities.

Section 2. Records shall be made and kept of all trust and permanent funds showing at least the following:

a. Source and date
b. Terms governing the use of principal and income.
c. To whom and how often reports of conditions are to be made.
d. How the funds are invested.

Section 3. Treasurers and custodians, other than banking institutions and treasurers of House Churches, shall be adequately bonded.

Section 4. Books of account shall be so kept as to provide the basis for satisfactory accounting pursuant to Section 5 below.

Section 5. [returned to the Constitution and Canons Committee for review at ADNE Synod meeting December 5th, 2009]

Canon XVII

Deans, Deaneries and Archdeaconries

Section 1. The Diocese may be divided into Deaneries and Archdeaconries as determined by the Bishop, in consultation with the Standing Committee

Canon XVIII

Mode of Election of Rector or Other Member of the Clergy

Section 1. When a Parish proceeds to call a new Rector, it shall first consider a list of candidates proposed by the Bishop. The Vestry may reject all of the proposed names after due research and shall thereupon notify the Bishop. The Vestry may then ask the Bishop for additional names and may reject all of these. They may then proceed to consider other names. The Vestry's choice shall be communicated to the Bishop in writing together with documentation evidencing the qualifications of the candidate to meet the Parish's requirements for priestly leadership. The Bishop shall have 30 days to respond. The Bishop shall have the option of approving, or, after consultation with the Standing Committee, of rejecting the proposed candidate. If the candidate is rejected, the Vestry may proceed to consider other candidates.

In the event that the Bishop and the Vestry cannot resolve their differences over Clergy selection, the Bishop shall thereafter consult with the Standing Committee and the

Vestry to effect the final disposition of the issue in the most satisfactory and Godly manner possible.

Section 2. The Rector-elect shall not be recognized by the Bishop as the Rector of the Parish until canonically transferred to this jurisdiction; and shall not, with or without the consent of the Vestry of said Parish, perform any of the rites or ceremonies of the Church except with the special permission of the Bishop of this Diocese, until the Bishop has certified to the Vestry that said Rector-elect has been canonically transferred to this jurisdiction and licensed. The certificate of the Bishop shall be entered upon the minutes of the Vestry.

Section 3. The bishop shall appoint a Presbyter in charge of Missions and House Churches in consultation with the governing board of the congregation.

Canon XIX

Settled Clergy

Section 1. The Presbyter in charge of each congregation ("Presbyter") has, by virtue of office, the exclusive charge and care of all the spiritual concerns, music and liturgical and ceremonial rites of the Parish, subject and answerable only to the Bishop.

Section 2. For the purposes of the office and for the full and free discharge of all functions and duties pertaining thereto, the Presbyter shall, at all times, be entitled to the use and control of the Church and congregation's buildings with the appurtenances and furniture thereof.

Section 3. The Presbyter in charge of a congregation (including but not limited to Rectors of Parishes) shall have the full control and direction of all Guilds, Societies and Associations within the congregation as well as the hiring and firing of congregational staff. Unless otherwise provided by the governing documents of the congregation, the Presbyter in charge may call meetings of the governing board and congregation as the Presbyter in charge shall deem appropriate, and shall serve as ex-officio President of the same, and is entitled to speak and vote on all questions before these bodies. The Presbyter in charge shall call a meeting of the governing board when requested to do so by a majority of the members of the congregation.

Section 4. The annual salary and other compensation of full time resident Clergy shall be no less than the minimum established in the Clergy Compensation Guide, recommended by Standing Committee and approved by the Annual Synod, except in special cases as determined by the Bishop and the Standing Committee. The

compensation of Presbyters in charge of Missions and House Churches shall be determined by the congregation in consultation with the Bishop and Standing Committee.

Canon XX

Vacant Congregations

Section 1. The Bishop shall assume ecclesiastical oversight of each vacant congregation.

Section 2. When the Vestry is notified by the Rector of intent to resign, the Bishop shall simultaneously be notified. Upon such notification, the Bishop shall have the authority to examine any Parish records which would assist in evaluating the condition of the Parish. The Vestry shall furnish the Bishop such information as the Bishop deems necessary to assist the Parish in the selection of a new Rector, including, but not limited to, Parish goals, profile of the Parish, and desired Clergy qualifications.

Section 3. When a Parish becomes vacant, it shall be the duty of the Wardens thereof to give immediate notice to the Bishop, or if there is no Bishop, to the Chair of the Standing Committee.

Section 4. In the event of a vacant Parish, the Bishop shall take such action as the Bishop deems appropriate to supply said Parish for appropriate services, and such supply expenses shall be borne by said Parish.

Section 5. A Priest canonically resident in this Diocese, without a Parish, may not assume pastoral relations with, nor officiate for longer than one month, in a Parish unless he or she shall have obtained a written license from the Bishop. If such license is refused, by and with the advice and consent of a majority of all the members of the Standing Committee, and if the Priest, without such license, officiates in a Parish, or attempts to assume pastoral relations, the Priest shall, thereafter, not be in good standing in this Diocese until he or she obtains approval from the Bishop. Any subsequent Synod of this Diocese may dissolve its union with the offending Parish, provided the Standing Committee shall, at least thirty days prior to such Synod, provide written notice to the Vestry, or to a Warden, of such Parish that the action will be reported to the Synod.

Section 6. The Bishop may appoint a member of the clergy of this Church to take charge of any vacant Mission or House Church.

Canon XXI

Ecclesiastical Trial Court

Section 1. The Ecclesiastical Trial Court shall consist of five (5) clergy and four (4) lay persons, to be elected by the Synod to serve three (3) year terms on a staggered basis.

Section 2. Each member shall serve until his or her successor is elected or until the conclusion of any trial being heard by said member and the rendering of a verdict thereon, whichever is later. No person who has served two consecutive full terms shall be eligible for election until a full year has elapsed. Eighteen or more months shall be treated as a full term.

Section 3. If a vacancy occurs for any reason prior to the end of a term, the Standing Committee shall appoint a replacement from the appropriate order.

Section 4. Within two months after each Annual Synod, the Court shall elect one of its members to serve as Presiding Judge. When the need arises, the Court shall designate a Court Attorney, who shall not be a member of the Court.

Section 5. The Court will establish its own procedures and appoint a recorder of proceedings. The powers, duties and procedures of the Court shall be subject to and in accordance with Title IV of the Canons of the Anglican Church in North America.

Canon XXII

Amendments and Resolutions

Section 1. The Canons may be amended in the following manner only: Amendments must be proposed in writing to Standing Committee no less than sixty days prior to the Annual Synod. Council shall review the proposal and may either defeat it or refer it to the Committee on Constitution and Canons. The Committee on Constitution and Canons shall present the proposed amendment to the Synod for a vote. A proposed amendment must receive a majority of the votes cast in order to be enacted. If the amendment is defeated, it may be referred to the Committee on Constitution and Canons for study, reworking, and future proposal.

Section 2. The function of the Synod is to govern and conduct the business of the Diocese. No motion or resolution concerning any political, social or societal issue, nor

any resolution which is not binding on the Diocese or its officers, shall be considered, discussed or enacted by the Synod.

Canon XXIII

Rules of Order

These Rules of Order shall be established by the Synod of the Diocese for conducting the business of the Synod. These rules shall not be amended, suspended or repealed except by an affirmative vote of a majority of the members present.

A. Parliamentary Procedure

1. No motion shall be considered or debated until it is seconded, and, when seconded, it shall be stated by the President before it is voted on; and every motion, when required, shall be reduced to writing.

2. If the motion in debate contains several distinct propositions, any member may have the same divided.

3. When a motion is under consideration, no further motion shall be received unless to lay upon the table, to postpone indefinitely, to postpone to a certain time, to commit, or to amend; and motions for any of these purposes shall have precedence in the order herein named. If the motion to lay upon the table be carried, the Synod shall proceed as if no such motion had been offered. The motion to lay on the table and to adjourn shall be decided without debate. The motion to adjourn shall always be in order.

4. On a question being put by the President, it shall be determined by the sound of voices for or against it; but any member may require the count of votes, and Tellers for that purpose shall be appointed by the President; or a majority of the members present may, previous to a decision by count, require the ayes and nays to be taken, which shall be done by calling the names of the Clerical members and then of the names of the Lay Delegates of each Parish, and all votes by ayes and nays shall be entered upon the minutes.

5. A question once decided shall not be reconsidered during the same session without an affirmative vote of two-thirds, nor without a motion for that purpose being made by one of the majority on the prior decision; nor shall any question be reconsidered more than once.

6. All decisions determined by vote within the Synod shall be by simple majority with the exception of the election of a bishop (Canon I) or unless an exception be made by a two-thirds vote of the Delegates, or unless otherwise established by Canon or by the Rules of Order.

7. All questions of order shall be decided by the President, subject to an appeal to the Synod. A simple majority is required to overrule the President.